PUBLIC (GENERAL-B) (1948) Department.

MS. SERIES.

G.O. No. 301

Dated 31st March, 1948.

[Despatch Abstract.]

L.A.Q. - Government servants Conduct Rules - Proposals for modification

*215 Q:-Sri PILLALAMARRI VENKATESWARLU:-

Will the Hon. the Prime Minister be pleased to state:-

(a) whether the conduct rules for Non-Gazetted Officers and other Government servants were framed;

(b) whether the Government propose to appoint a committee to go into the rules and modify them in accordance with the present-day needs;

(c) whether there are or were any provisions for confidential reports against subordinates; if so, what for; and

(d) whether the Government will place these conduct rule and rules for confidential reports on the floor of the House?

The Hon. Dr. P. SUBBARAYAN (on behalf of Hon. the Prime Minister):-"(a) The rules were originally framed in 1893 and have been amended from time to time.

"(b) The answer is in the negative.

"(C) The Government have from time to time issued orders regarding maintenance of confidential reports or personal files as they are called, in respect of their subordinates. The object in maintaining them is to have on record all information necessary for correctly assessing the character, ability, etc., of an officer which will be particularly useful when considering his case for promotion to higher posts.

"(d) The Government Servants' Conduct Rules have been published in Public (Services) Department Notification No.47, dated 18th December, 1936, at pages 212 to 234 of Part I of the FORT ST. GEORGE GAZETTE, dated 2nd February 1937. There are no rules governing the maintenance of confidential reports. Only executive instructions have been issued by the Government from time to time and these cannot be placed on the table of the House as they are of a confidential nature".

Sri PILLALAMARRI VENKATESWARLU:-"May I know, Sir, . . ."

Mr. SPEAKER:-"I think a few days ago a similar question was answered in this House".

Sri PILLALAMARRI VENKATESWARLU:-"There is some different between that question, and this, Sir. May I know whether in spite of the fact that the Non-gazeted Officers' Association is recognized by the Government, the superior officers are utilising these rules for taking disciplinary action against the non-gazetted officers for the agitation they are carrying on? If so, may I know what measures the Government propose to take in the matter of protecting the right of recognition granted by the Government themselves?"

The Hon. Dr. P. SUBBARAYAN:-"I do not grant the hon.Gentleman's premises, Sir, and therefore no further question arises".

Begum Sultan MIR AMIRUDDIN:-"Is it not a fact, Sir, that there already exists a rule that confidential remarks of a damaging nature are to be communicated to the officer concerned, but that very often this rule is not observed? Will the Government see to it that this rule is strictly observed in the future?

The Hon. Dr. P. SUBBARAYAN:-Well, Sir, the hon.Lady member is quite correct in her presumption. As a matter of fact, when adverse remarks are made which can be replied to by the officer concerned, they are sent to him for his reply, and that is also considered when making confidential reports. If, however, they are not observed, I will see that such rules are observed".

P.T.O.

M.S. ABDUL MAJID SAHIB Bahadur:-"May I know whether the superior officers who are not well-disposed towards their subordinates, make adverse remarks in their personal registers and thus spoil the career of the individual concerned?"

The Hon. Dr. P. SUBBARAYAN:-"As I said in answer to the Hon. Member for Labour, I do not think this presumption is correct"

Sri V. RAGHAVAYYA:-"Will the Government be pleased to give instructions to Government officers ~~are~~ not to use such ambiguous words as 'wanting in tact' and such remarks which cannot be explained? Will the Government also be pleased to see that the successors of the superiors are denied the opportunity of looking into the adverse remarks passed by their predecessors, so that the successors may form their own independent opinions about the subordinates and not be guided blindly by the previous records left?".

The Hon. Dr.P. SUBBARAYAN:-"I am much obliged to the hon. ~~the~~ Member for his advice, but the Government hope to carry on ~~such~~ as they deem it is fit to do so"

Sri V.M. RAMASWAMI MUDALIYAR:-"May I ask whether the Government are aware that under the present rules the wives of Government servants are prohibited from taking part in politics, and whether there is any proposal or intention to change this rule?"

The Hon. Dr.P. SUBBARAYAN:-"As far as I know, in spite of ~~that rule~~, wives of Government servants do seem to take part in politics."

Sri S. NAGAPPA:-"May I ask the Government whether, in view of the fact that the present Government is a popular Government and these rules were framed by unpopular Governments, they want to follow the legacy that has been left by the unpopular Governments?"

The Hon.Dr. P. SUBBARAYAN:-"There is no question of popular or unpopular Government; if the Government feel that the rules are being observed properly, they certainly intend to carry on with these rules".

Sri V.M. RAMASWAMI MUDALIYAR:-"Arising out of the answer given to my question, may I take it that the Government are prepared to agree that there is no prohibition to the wives of Government servants taking part in politics?"

The Hon. Dr. P. SUBBARAYAN:-"I am afraid, Sir, the hon.Member is wrong in his presumption".

Sri M.G. NATESA CHETTIYAR:-"May I know whether the confidential remarks and the remarks made during inspection in the inspection reports are compared and promotions are considered on that basis?"

The Hon. Dr. P. SUBBARAYAN:-"I could not hear the question, Sir".

Mr. SPEAKER:-"The hon. Member will please repeat his question".

Sri M.G. NATESA CHETTIYAR:-"May I know whether the official remarks made in the inspection reports are compared with the confidential reports when promotion is considered?"

The Hon. Dr. P. SUBBARAYAN:-"That is so, Sir".

Sri M.G. NATESA CHETTIYAR:-I did not hear the answer of the Hon. Minister"

The Hon. Dr. P. SUBBARAYAN:-"I said 'that is so'"

P.T.O.

Sri V.M. RAMASWAMI MUDALIYAR:-*The Rules as they stand at present forbid the wives of Government servants taking part in politics, may I ask whether the Government intend to change the rule in view of the progress made in their rights by women in the year 1947?

The Hon. Dr. P. SUBBARAYAN:-"Well, Sir, I shall take the matter up with my Colleagues".

MOHAMED ABDUL SALAM SAHIB Bahadur:-"In view of the fact that the Hnn.Ministers also are receiving salaries, will the Government consider the advisability of having conduct rules for the Ministers also?"

The Hon. Dr.P. SUBBARAYAN :-"Thanks very much for the hon. Member's suggestion; but I do not think this will be done. Perhaps when the hon. Member occupies a seat on this Bench, he will consider this question".

Dr.M.J. SAMUEL:-"Are the Government aware that some of the heads of departments have abused their powers in the matter of recording their confidential remarks about their subordinates by prejudiced communal considerations?"

The Hon. Dr. P. SUBBARAYAN:-"If there is a particular case of which the hon. Member is aware, he might bring it to my notice if he feels aggrieved".

H.S. HUSSAIN SAHIB Bahadur:-"Will the Government consider the desirability of so amending the rules as to enable the subordinate to explain his conduct before adverse remarks are entered by his superior officer in his personal register?"

The Hon. Dr. P. SUBBARAYAN:-"As the Hon. Lady Member explained in her question, Sir, this rule already exists, and any adverse remarks which call for an explanation are sent to the officer concerned and his remarks thereon are also entered in the file".

MUHAMMAD RAZA KHAN SAHIB Bahadur:-"Arising out of the reply given by the Hon. Minister that some of the Government servants are taking part in politics, may I enquire what steps the Minister is taking to prevent our Government servants from taking part in politics?"

The Hon. Dr. P. SUBBARAYAN:-"I am afraid the hon. Gentleman heard my answer not correctly; I never said that Government servants are taking part in politics"

Sri PILLALAMARRI VENKATESWARLU:-"May I know if the Government are aware of the fact that the non-gazetted officers are agitating against these rules?"

The Hon. Dr. P. SUBBARAYAN:-"I am grateful to the hon. Member for this information, Sir,".

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RS/27/11

Please see the orders in circulation above. The papers may now be recorded in a G.O. for ~~further~~ future guidance.

G.O.Ms.No.801, d/31-3-48.

Abstract:

L.A.Q. - Govt. Servant Conduct Rules - Proposal for modifications - Papers Recorded.

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Chief Secretary to Government.

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